

I hereby certify that this correspondence is being electronically transmitted on the date shown below

Date: May 30, 2006

Signature: 

(Laura Shires)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/809,991  
Confirmation No.: 9621  
Filing Date: Marcy 26, 2004  
Inventor(s): Christopher J. DANEK et al.  
Title: METHODS OF TREATING REVERSIBLE OBSTRUCTIVE  
PULMONARY DISEASE  
Examiner: W. Matthews  
Group Art Unit: 3738

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

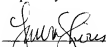
Pursuant to 37 C.F.R. §1.97 and §1.98, Applicants submit for consideration in the above-captioned application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. The required fee is submitted herewith.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. §1.97 and §1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted.

A handwritten signature in black ink, appearing to read "Laura L. Shires", is written over a horizontal line.

Laura L. Shires  
Registration No. 52,222

**Customer No. 40518**  
Levine Bagade LLP  
2483 East Bayshore Road, Suite 100  
Palo Alto, CA 94303  
Direct: (650) 242-4211  
Fax: (650) 284-2180

Substitute for form 1449/PTO		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/809,991		
		Filing Date	March 26, 2004		
		First Named Inventor	Christopher J. DANEK		
		Art Unit	3738		
		Examiner Name	W. Matthews		
Sheet	1	of	1	Attorney Docket Number	ASTXNA00402

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	2003/0159700 A1	08-28-2003	Laufer et al.	
	2.	2004/0031494 A1	02-19-2004	Danek et al.	
	3.	2005/0010270 A1	01-13-2005	Laufer	
	4.	5,152,286	10-06-1992	Sitko et al.	
	5.	5,562,608	10-08-1996	Sekins et al.	
	6.	6,198,970 B1	03-06-2001	Freed et al.	
	7.	6,411,852	06-25-2002	Danek et al.	
	8.	7,027,869	04-11-2006	Danek et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)	MM-DD-YYYY			
	9	RU-2 053 814-C1	02-10-1996	Novikov V.N.		✓
	10	RU-2 091 054-C1	09-27-1997	Osin A. Ja.		✓

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinda Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog etc.), date, page(s), volume- issue number(s), publisher, city and/or country where published.		<sup>2</sup>
	11.	Ivanyuta, O. M. et al., "EFFECT OF LOW-POWER LASER IRRADIATION OF BRONCHIAL MUCOSA ON THE STATE OF SYSTEMIC AND LOCAL IMMUNITY IN PATIENTS WITH CHRONIC BRONCHITIS," <i>Problemy Tuberkuleza</i> , 6:26-29 (1991)		✓
	12.	Provotorov, V. M. et al., "CLINICAL EFFICACY OF TREATMENT OF PATIENTS WITH NONSPECIFIC PULMONARY DISEASES BY USING LOW-POWER LASER IRRADIATION AND PERFORMING INTRAPULMONARY DRUG ADMINISTRATION," <i>Terapevticheskiy Arkhiv</i> , 12:62-18-23 (1991)		✓
	13.	Vorotnev, A. I. et al., "TREATMENT OF CHRONIC OBSTRUCTIVE BRONCHITIS PATIENTS USING A LOW-POWER LASER AT A GENERAL REHABILITATION CENTER," <i>Terapevticheskiy Arkhiv</i> , 3:17-19 (1997)		✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------